

IN THE MATTER OF:)
)
Print Flex, Inc.) **NOTICE OF VIOLATION**
Bensenville, Illinois)
) **EPA-5-99-IL-18**
Proceedings Pursuant to)
Section 113(a)(1) of the)
Clean Air Act,)
42 U.S.C. § 7413(a)(1))
)

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, is issuing this Notice of Violation pursuant to Section 113(a)(1) of the Clean Air Act. U.S. EPA hereby notifies the State of Illinois and Print Flex that U.S. EPA finds that Print Flex, located at 1045 Entry Drive, Bensenville, Illinois, is in violation of the Illinois State Implementation Plan (SIP), as follows:

1. On December 17, 1992, U.S. EPA approved the Illinois Pollution Control Board (PCB) Rule 203 (New Source Review (NSR) rules), containing major stationary source requirements for new or modified sources constructed in nonattainment areas, as part of the federally enforceable SIP for the State of Illinois. 57 Fed. Reg. 59928.
2. A nonattainment area is defined by Illinois PCB Rule 203, Section 203.127, as an area designated by U.S. EPA as nonattainment for a given pollutant pursuant to Section 107 of the Act, 42 U.S.C. § 7407.
3. Illinois PCB Rule 203, Section 203.206 (b)(1)(C) specifies that for an area designated as nonattainment for ozone, a major stationary source is a stationary source which emits or has the potential to emit volatile organic material in an amount equal to or greater than 25 tons per year in an area classified as severe nonattainment area for ozone.

4. Illinois PCB Rule 203, Section 203.207 (a) specifies that a physical change, or change in the methods of operation of a major stationary source that would result in a significant net emission increase of any pollutant for which the area is designated a nonattainment area, shall constitute a major modification of the source.
5. Illinois PCB Rule 203, Section 203.207 (b) specifies that any net emission increase that is significant for volatile organic material or nitrogen oxide's shall be considered significant for ozone.
6. Illinois PCB Rule 203, Section 203.208 specifies that a net emission increase is the amount by which the sum of any increase in actual emissions from a particular physical change or change in method of operation at a source, and any other increase and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable, exceeds zero.
7. Illinois PCB Rule 203, Section 203.209 (b) specifies that for areas classified as serious or severe nonattainment for ozone, an increase in emissions of volatile organic material or nitrogen oxide shall be considered significant if the net emission increases of such air pollutant from a stationary source located within such area exceeds 25 tons when aggregated with all other net increases in emissions from the source over any period of 5 consecutive calendar years which included the calendar year in which such increase occurred.
8. Illinois PCB Rule 203, Section 203.201 specifies that in any nonattainment area, no person shall cause or allow the construction of a new major source or major modification that is major for the pollutant for which that area is designated a nonattainment area, except as in compliance with Illinois PCB Rule 203 for that pollutant.
9. Illinois PCB Rule 203, Section 203.203 (a) specifies that a construction permit is required prior to actual construction of a major new source or major modification.
10. Illinois PCB Rule 203, Section 203.601 specifies that no person shall cause or allow the operation of a new major stationary source in a nonattainment area, except as in compliance with applicable lowest achievable emission rate (LAER) provisions established pursuant to Illinois PCB Rule 203, Section 203.301.

11. Illinois PCB Rule 203, Section 203.301 specifies that for any source LAER will be the most stringent rate of emissions, based on the SIP of any state for such class or category of stationary source, or the most stringent emission limitation achieved in practice by such a class or category of stationary source. The owner or operator shall demonstrate that the control equipment and process measures applied to the major source will produce LAER. In addition, the owner or operator shall provide a detailed showing that the proposed emission limitations constitute LAER.
12. Illinois PCB Rule 203, Section 203.112 provides that all of the pollutant emitting activities which belong to the same industrial grouping, located on one or more contiguous or adjacent properties and are under control of the same person, are considered one facility. Pollutant emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same two-digit code) as described in the Standard Industrial Classification Manual, 1972.

Factual Background

13. Print Flex owns and operates a printing facility located at 1045 Entry Drive, Bensenville, Illinois.
14. On March 3, 1978 U.S. EPA designated DuPage County as nonattainment area for ozone. (43 FR 8964).
15. On November 15, 1990, U.S. EPA designated DuPage County as nonattainment area for ozone and classified it as severe nonattainment. (56 FR 56751).
16. Print Flex, Inc., is located in DuPage County, Illinois, an area which has been designated as a severe nonattainment area for ozone.
17. Print Flex, Inc., constructed printing lines no. 9 and 10 in August 1995.
18. Print Flex, Inc., constructed printing line no. 11 in February 1996.
19. Print Flex, Inc., constructed printing line no. 12 in July 1996.
20. Print Flex, Inc., did not apply for a construction permit prior to constructing printing lines 9, 10, 11, and 12.

21. Print Flex, Inc., constructed and operated printing lines 9, 10, 11, and 12 without complying with the LAER provision of the Illinois Implementation Plan (Illinois SIP).

Findings of Violation

22. Print Flex's construction of the printing lines without a permit to construct is a violation of Illinois PCB Rule 203, Sections 201 and 203 (a).
23. Print Flex's operation of printing lines without LAER limitations is a violation of Illinois PCB Rule 203, Section 601.

5/27/99
Date



Margaret M. Guerriero, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Notice of Violation, issued pursuant to the Clean Air Act, by Certified Mail, Return Receipt Requested, to:

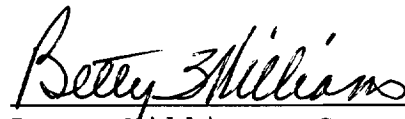
Paul R. Addison, General Manager
Print Flex, Inc.
1045 Entry Drive
Bensenville, Illinois 60106

I also certify that I sent copies of the Notice of Violation by first class mail to:

Harish Narayan, Acting Regional Manager
Environmental Control
Illinois Environmental Protection Agency, Region 1
1701 S. First Avenue
Maywood, Illinois 60153

David Kolaz, Chief
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

on the 28th day of May, 1999.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: P140779113